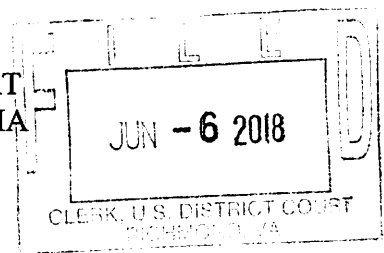


IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division



UNITED STATES OF AMERICA

v.

FLORIN BERSANU
a.k.a., "KIM OLSEN,"

and

VIOREL ANTOANEL NABOIU
a.k.a. "LUIGI LATORZA,"

Defendants.

Criminal No. 3:18-cr- 075

18 U.S.C. § 1349
Conspiracy to Commit Bank Fraud
(Count 1)

18 U.S.C. §§ 1344 & 2
Bank Fraud
(Counts 2-7)

18 U.S.C. §§ 1028A(a)(1) & 2
Aggravated Identity Theft
(Counts 8-11)

18 U.S.C. §§ 1029(a)(3),
1029(c)(1)(a)(i) & 2
(Access Device Fraud)
(Count 12)

Forfeiture Allegation
18 U.S.C. §§ 982 & 1029

INDICTMENT

June 2018 Term – At Richmond, Virginia.

THE GRAND JURY CHARGES THAT:

COUNT ONE

(Conspiracy to Commit Bank Fraud)

Beginning sometime prior to January 21, 2018, the exact date being unknown to the grand jury, and continuing to on or about May 7, 2018, in the Eastern District of Virginia and elsewhere within the jurisdiction of the Court, the defendants FLORIN BERSANU, also known as "KIM OLSEN," and VIOREL ANTOANEL NABOIU, also known as "LUIGI LATORZA," did unlawfully and knowingly conspire together, as well with others unknown to the grand jury,

to commit an offense contained within Chapter 63 of Title 18 of the United States Code, in that they conspired to knowingly execute and attempt to execute a scheme and artifice to defraud and to obtain money and property under the custody of financial institutions (as that term is defined in Title 18, United States Code, Section 20) by means of materially false and fraudulent pretenses, representations, and promises, in violation of Title 18, United States Code, Section 1344.

(In violation of Title 18, United States Code, Section 1349)

COUNTS TWO THROUGH SEVEN
(Bank Fraud)

Beginning sometime prior to January 21, 2018, the exact date being unknown to the grand jury, and continuing to on or about May 7, 2018, in the Eastern District of Virginia and elsewhere within the jurisdiction of the Court, the defendants FLORIN BERSANU, also known as “KIM OLSEN,” and VIOREL ANTOANEL NABOIU, also known as “LUIGI LATORZA,” aided, abetted, induced, counseled, and encouraged by each other and others unknown to the Grand Jury, did knowingly, unlawfully, and with intent to defraud, execute and attempt to execute a scheme and artifice to defraud and obtain money, funds, and property owned by and under the custody and control of financial institutions (as that term is defined in Title 18, United States Code, Section 20), including Henrico Federal Credit Union, BB&T Bank, United Bank, Pen Air Federal Credit Union, and Eglin Federal Credit Union, by means of materially false and fraudulent pretenses and promises.

Object of the Scheme and Artifice to Defraud

The object of the scheme and artifice to defraud was for the conspirators to obtain funds fraudulently via the use of illegally obtained credit or debit card numbers to withdraw funds from Automated Teller Machines (ATMs).

Ways, Manner, and Means of the Scheme and Artifice to Defraud

The scheme and artifice to defraud operated in substance as follows:

1. Conspirators placed skimming devices on ATMs that captured payment card numbers, *i.e.*, “access devices,” as that term is defined in Title 18, United States Code, Sections 1029(e)(1) through 1029(e)(3), of persons using those ATMs, along with other information stored on the cards’ magnetic stripes.
2. Conspirators also placed surveillance cameras near the ATMs on which they had installed the skimming devices. These cameras captured the personal identification numbers (PINs) for persons using the skimmed debit and credit cards as they were being used. The captured PINs, which were associated with the stolen account numbers, could then be employed to authenticate fraudulent transactions conducted with the stolen account numbers.
3. Conspirators encoded the magnetic strips of blank cards with the fraudulently obtained account numbers.
4. Conspirators, including defendants BERSANU and NABOIU, used the cards encoded with the fraudulently obtained account numbers to withdraw cash at ATMs in Virginia.

Execution of the Scheme and Artifice to Defraud

On or about the dates listed below, to execute the scheme and artifice to defraud, defendants BERSANU and NABOIU, aided, abetted, induced, counseled, and encouraged by each other, committed or caused the commission of the following acts in the Eastern District of Virginia:

Count	Date	Description of Transaction
2	January 27, 2018	Withdrawal of \$500 by NABOIU from the BB&T Bank Branch, 737 J. Clyde Morris Boulevard, Newport News, Virginia, using an unauthorized access device, account number ending in 8011, which belonged to an individual identified herein as R.D.C.

Count	Date	Description of Transaction
3	January 27, 2018	Withdrawal of \$300 by BERSANU from the BB&T Bank Branch, 737 J. Clyde Morris Boulevard, Newport News, Virginia, using an unauthorized access device, account number ending in 3874, which belonged to an individual identified herein as S.W.F.
4	March 3, 2018	Withdrawal of \$200 by BERSANU from the BB&T Bank Branch, 5001 Lakeside Avenue, Richmond, Virginia, using an unauthorized access device, account number ending in 0797, which belonged to an individual identified herein as B.R.S.
5	March 3, 2018	Withdrawal of \$100 by BERSANU from the BB&T Bank Branch, 5001 Lakeside Avenue, Richmond, Virginia, using an unauthorized access device, account number ending in 8103, which belonged to an individual identified herein as U.G.S.
6	March 3, 2018	Withdrawal of \$260 by NABOIU from the BB&T Bank Branch, 5001 Lakeside Avenue, Richmond, Virginia, using an unauthorized access device, account number ending in 9756, which belonged to an individual identified herein as A.D.A.
7	March 3, 2018	Withdrawal of \$200 by NABOIU from the BB&T Bank Branch, 5001 Lakeside Avenue, Richmond, Virginia, using an unauthorized access device, account number ending in 9678, which belonged to an individual identified herein as J.C.V.M.

(In violation of Title 18, United States Code, Sections 1344 & 2.)

COUNTS EIGHT THROUGH ELEVEN
(Aggravated Identity Theft)

On or about March 3, 2018, in the Eastern District of Virginia and within the jurisdiction of this Court, the defendants FLORIN BERSANU, also known as “KIM OLSEN,” and VIOREL ANTOANEL NABOIU, also known as “LUIGI LATORZA,” aided, abetted, induced, counseled, and encouraged by each other and others unknown to the grand jury, did knowingly and unlawfully possess and use without lawful authority, the means of identification of other persons set forth below during and in relation to felony violations contained in Chapter 63 of Title 18 of the United States Code (that is, Conspiracy to Commit Bank Fraud, in violation of Title 18,

United States Code, Section 1349, and Bank Fraud, in violation of Title 18, United States Code, Section 1344):

Count	Means of Identification
8	BB&T debit card number xxxx-xxxx-xxxx-0797, belonging to B.R.S.
9	BB&T debit card number xxxx-xxxx-xxxx-8103, belonging to U.G.S.
10	BB&T debit card number xxxx-xxxx-xxxx-9756, belonging to A.D.A.
11	BB&T debit card number xxxx-xxxx-xxxx-9678, belonging to J.C.V.M.

(In violation of Title 18, United States Code, Sections 1028A(a)(1) & 2).

COUNT TWELVE
(Access Device Fraud)

On or about February 28, 2018, in the Eastern District of Virginia and elsewhere within the jurisdiction of this Court, the defendants FLORIN BERSANU, also known as “KIM OLSEN,” and VIOREL ANTOANEL NABOIU, also known as “LUIGI LATORZA,” aided, abetted, induced, counseled, and encouraged by each other and others unknown to the grand jury, knowingly and with intent to defraud, possessed fifteen or more unauthorized access devices as defined in Title 18, United States Code, Section 1029(e)(3), that had been issued by BB&T Bank, said possession affecting interstate and foreign commerce in that BB&T Bank is a financial institution as that term is defined in Title 18, United States Code, Section 20, that is engaged in interstate and foreign commerce.

(In violation of Title 18, United States Code, Sections 1029(a)(3), 1029(c)(1)(a)(i) & 2.)

FORFEITURE ALLEGATION

Pursuant to Rule 32.2(a) Fed. R. Crim. P., the defendants are notified that, if convicted of the offenses alleged in Counts One Through Seven or Count Twelve of this Indictment, they shall forfeit to the United States any property constituting, or derived from, proceeds the person obtained directly or indirectly, as the result of such violations.

The property subject to forfeiture includes, but is not limited to, the following:

A sum of money of at least \$42,756.80, representing the proceeds of the offenses charged in Counts One through Seven and Count Twelve, and which shall be reduced to a money judgment against the defendant in favor of the United States.

The defendants are further notified that if convicted of the offense alleged in Count Twelve of this Indictment, they shall forfeit to the United States any personal property used or intended to be used to commit the offense.

The property subject to forfeiture as to Count Twelve includes, but is not limited to, the following:

- A. Seven (7) surveillance cameras and all associated peripheral equipment;
- B. One (1) white-colored Apple iPhone with blue cover;
- C. One (1) black-colored LG mobile phone;
- D. One (1) black-colored Samsung GAL 8 mobile phone;
- E. One (1) Lenovo laptop computer, serial number YD03DKDY; and
- F. Miscellaneous tools and facilitating property, including but not limited to memory cards, skimming device hardware, one (1) Hyper Touch brand digital multimeter, and plastic access device cards.

(All in accordance with Title 18, United States Code, Section 982(a)(2) and Title 18, United States Code, Section 1029(c)(1)(C)).

Pursuant to the E-Government Act,
the original of this page has been filed
under seal in the Clerk's Office

G. ZACHARY TERWILLIGER
UNITED STATES ATTORNEY

Brian R. Hood
Assistant United States Attorney